



## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Viginia 22313-1450 www.usplu.gov

APPLICATION NUMBER FILING OR 371(c) DATE FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE

10/791,932

03/03/2004

William Stephen Kosh

15826-204001 / II-01-001

**CONFIRMATION NO. 4141** 

\*OC000000013868107\*

26231 FISH & RICHARDSON P.C. 5000 BANK ONE CENTER 1717 MAIN STREET DALLAS, TX 75201

Date Mailed: 09/23/2004

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## **Domestic Continuity and Foreign Priority**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
A claim for priority cannot be made based on an application filed after the application making the claim.
Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
Foreign priority will appear on the Filing Receipt in the following order: <b>Country, Application number, Filing date</b> .
This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

O.	The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.	
	To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.	
	To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on a far after November 29, 2000.	
Customer S	Service Center	
Initial Patent Examination Division (703) 308-1202		
	PART 3 - OFFICE COPY	

·